

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ASHENAFI ABERHA,

Plaintiff,

v.

D. JONES,

Defendant.

Case No. 3:20-cv-00060-MMD-CSD

ORDER

This matter is referred to the Court for the limited purpose of determining whether *in forma pauperis* status should continue on appeal. (ECF No. 77.) This Court certifies that any *in forma pauperis* appeal from its order of dismissal would be frivolous or would not be taken “in good faith” pursuant to 28 U.S.C. § 1915(a)(3). Plaintiff’s *in forma pauperis* status should be revoked on appeal. See *Hooker v. American Airlines*, 302 F.3d 1091, 1092 (9th Cir. 2002) (“The power to deny leave to proceed in forma pauperis if the court certifies that the appeal is frivolous also deals with the case as a whole[.]”) (citation omitted).

The Clerk of Court is directed to mark (ECF No. 77) as resolved, and transmit a copy of this order to the United States Court of Appeals for the Ninth Circuit.

DATED THIS 15th Day of November 2022.



MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE